#### Interview Summary

Application No.

09/315,796

Applicant(s)

Davis et al.

Examiner

John S. Hilten

Group Art Unit 2854

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|---|---|---|---|--|

| All participants (applicant, applicant's representative, PTO personnel):   |
|--|
| (1) John S. Hilten (3)   |
| (2) Bob Falk (4)   |
| Date of Interview Jul 3, 2000  |
| Type: X Telephonic Personal (copy is given to applicant applicant's representative).   |
| Exhibit shown or demonstration conducted: X Yes  No. If yes, brief description:  Letter of 6/6/2000 office action showing a 6/7/2000 mail stamp.   |
| Agreement X was reached.  was not reached.   |
| Claim(s) discussed: None   |
| Identification of prior art discussed:  None   |
| Description of the general nature of what was agreed to if an agreement was reached, or any other comments:  The mail date concerns of MR. Falk were discussed. Per MPEP 710.06, the response date should be one month from  6/7/2000 not 6/6/2000.  |
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| (A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendents which would render the claims allowable is available, a summary thereof must be attached.)   |
| 1. 🔲 It is not necessary for applicant to provide a separate record of the substance of the interview.   |
| Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.  |
| 2. Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked. |
|  |
| JOHN S. HILTEN SUPERVISORY PATENT EXAMINER   |
| Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.   |

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS INTELLECTUAL PROPERTY LAW

ATTORNEYS AT LAW A TEXAS LIMITED LIABILITY PARTNERSHIP CHATEAU PLAZA 2515 McKINNEY AVE, SUITE 1565 DALLAS, TEXAS 75201 TELEPHONE (214) 954-4400 FACSIMILE (214) 969-5941 Internet: http://www.parent.net EMail: falk@pstent.nct

July 3, 2000

OFFICES IN DALLAS, TEXAS AND SAN JOSE, CALIFORNIA

> MAILING ADDRESS P.O. BOX 794748 DALLAS, TEXAS 75379

John Hilton, Esq., Supervisory Primary Examiner, Art Unit 2854 United States Patent and Trademark Office Washington D.C. 20231

> Re: Davis et: al. \$eríal No. 09/315,796 Our File: WILL 2501

Dear John:

Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk!s schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Robert

Very truly yours

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EMail: falk@parentnel

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| 1       |                   | John Hilten, SPE        |            |          |                |
| 14      | FIRM/COMPANY:     | PTO Group 2854          |            |          |                |
|         | OUR CLIENT/MATTE  |                         | -          |          | ·: ,           |
| Ç       | OFFICE TELEPIIONE | NO.: (703) 308 0719     | <u>'</u>   |          | ,              |
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Washington, D.C. 20231

APPLICATION NO. FIRST NAMED INVENTOR FILING DATE ATTORNEY DOCKET NO. 09/315,796 05/20/99 DAVIS 13 WILL-2501 EXAMINER MMC270606 ROBERT HARDY FALK FUNK C FALK & RISH PAPER NUMBER ART UNIT P. O. box 794940 DALLAS TX 75097 2884 DATE MAILED: 06/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Serial No. 09/315,796 Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit. of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956

Stephen Funk June 1, 2000

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STEPHEN R. FUNK **PRIMARY EXAMINER**  \*\*\* APPLICATION INFORMATION DISPLAY \*\*\*

|                     |                       | 07/06/00                    | 11:37             | DE      | 7AIL         | CON | TENTS:             |               |          |
|---------------------|-----------------------|-----------------------------|-------------------|---------|--------------|-----|--------------------|---------------|----------|
| SC/SN:              | 09/315796             |                             |                   | INFOR   | MATION:      | 27  | NZNA               | $\mathcal{O}$ | 06/06/00 |
| FILDT:              | 05/20/99              |                             |                   |         |              | 26  | EXIN               | Q             | 05/09/00 |
| FATNO:              |                       | PURNO:                      |                   |         | F315796      | 25  | FWDX               | E             | 04/19/00 |
| $ISSDT \varepsilon$ | 00/00/00              | PUBDT: 00                   | /00/00            |         |              | 24  | A. I.              | Ĭ.            | 04/07/00 |
| ABNDT:              | 00/00/00              | PGPUB CL/S                  | Ca /              | 1.      |              | 23  | 0604               | Ï             | 04/07/00 |
| AFFL:               | DAVIS                 |                             | ET AL             |         |              | 22  | <i>C6</i> 00       | I             | 04/07/00 |
| 100 s               | 2864 LOCDT            | : 07/03/00                  | BATNO:            |         |              | 21  | LTDR               | I             | 04/07/00 |
| CHG-LOC:            | I I                   | E TEAM: 00                  | ISSNO:            | ŨŨ      |              | 20  | LET.               | Ι             | 04/07/00 |
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| EXMR NO.            | /NAME: 6938           | <i>1/F</i> UNK, S <i>TE</i> | PHEN R            |         |              | 16  | PET.               | Ï.            | 03/09/00 |
| DOCKET V            | DATE: /               | / GAU:                      | 2854 L            | R CD:   | O I          | 15  | PTDE               | Ü             | 03/09/00 |
| ATTY DO             | OK #: WILL-           | 2501 L <i>U</i>             | 97 N LO           | 97 D7   | 00/00/00     | 14  | PET.               | Ĭ.            | 03/06/00 |
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| CURR CL             | /SC: 101/14           | 1.000 FOR                   | PRIOR CL:         | N PE    | T FAOM:      | 12  | CTMF               | F             | 02/03/00 |
| TITLE DI            | F INVENTION:          | UNAVAZL                     | FOR ACTION        | le M    | PP UNAVAIL:  | 8   |                    |               |          |
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EXPLANATION OF STATUS AND CONTENTS CODES FILDT: 05/20/99 PATNO: ISSDT: 00/00/00

06/05/00 STATDT:

80/SN:

09/315796

STATUS: 072

RESPONSE TO NON-FINAL OFFICE ACTION HELD

NON-RESPONSIVE/INFORMAL

27 NIHA 0 06/06/00 NOTIFICATION OF INFORMAL OR NONRESPUNSIVE AMENDMENT

26 EXIN 0 05/09/00 EXAMINER INTERVIEW SUMMARY RECORD

25 FWDX E 04/19/00 DATE FORWARDED TO EXAMINER

24 A.I. I 04/07/00 INFORMAL /NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION

23 C604 I 04/07/00 SUBSTITUTE SPECIFICATION FILED P/E

22 C600 I 04/07/00 SUPPLEMENTAL DECLARATION OF DATH P/E

21 LTDR T 04/07/00 INCUMING LETTER RE DRAWINGS P/E

20 LET. I 04/07/00 MISCELLANEOUS INCOMING LETTER

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# FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

g. Byron Jamison, Special Counsel

attorneys and counselors intellectual property law ATTORNEYS AT LAW
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Internet: http://www.patent.net EMail: falk@patent.net OFFICES IN DALLAS, TEXAS AND SAN JOSE, CALIFORNIA

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|                               | FIRM/COMPANY:     | PTO Group 2854         |  | ,   |
| Marte 14112                   | OUR CLIENT/MATTE  |                        | -  |   |
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John Hilton, Esq.,

Washington D.C. 20231

Art Unit 2854

Supervisory Primary Examiner,

United States Patent and Trademark Office

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Re: Davis et al. Serial No. 09/315,796

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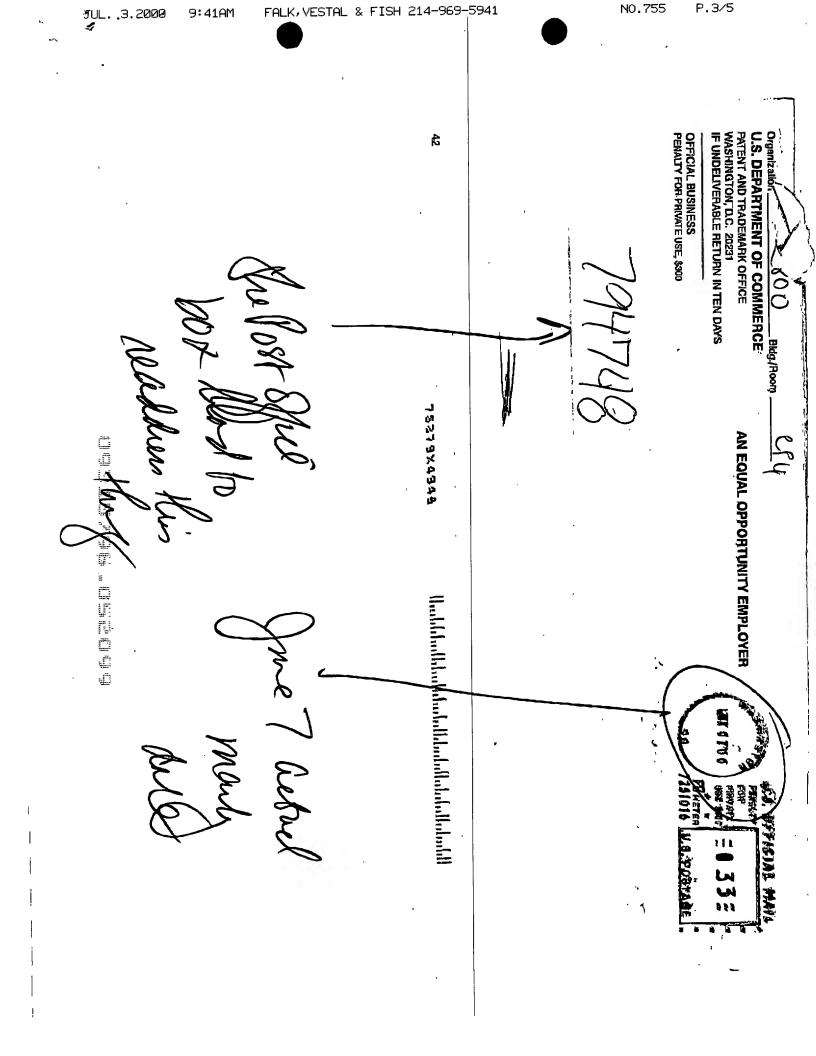
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Commissioner of Patents and Trademarks

Serial No. 09/315;796 Art Unit 2854 -2-

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Stephen Funk June 1, 2000

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STEPHEN R. FUNK PRIMARY EXAMINER

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| NUMBER OF P                       | AGES (INCLUDING COVER):   | TIME IN  | 4: <u>9:15 a.m</u>                                  |
| PLEASE DELLY                      | ER THE FOLLOWING PAGES TO:  |  |   |
| NAME:                             | John Hilten, SPE  |  |   |
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| OFFICE TELEF                      | ILONE NO.: (703) 308 0719   |  | •••   |
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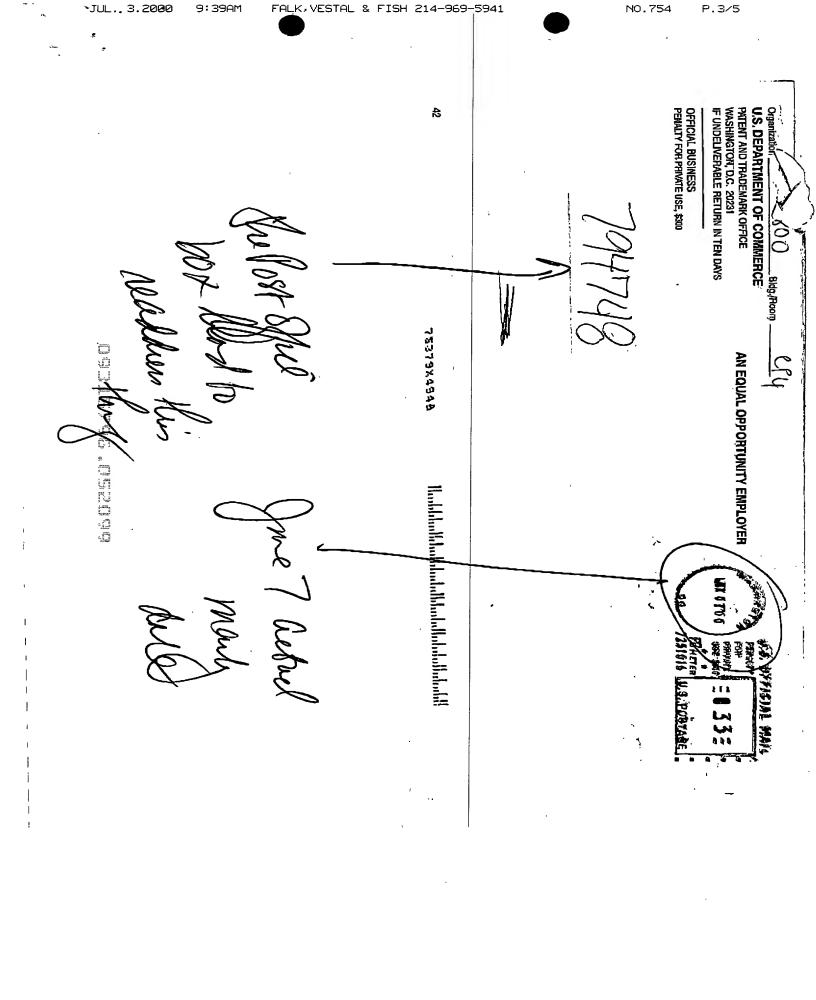
Very truly yours,

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Serial No. 09/315,796 Art Unit 2854

-2-

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956

Stephen Funk June 1, 2000

> STEPHEN R. FUNK PRIMARY EXAMINER

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### FALK & FISH

ROBERT HARDY PALK, P.C. RONALD C. FISH, P.C.

G. Tyron Jamison, special counsel

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Attorneys and counselors intellectual property law Attorneys at Law
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|   | NAME: ,            | John      | Hilte    | n, S.  | P.E.   |          |       |          |          |      |
| L | FIRM/COMPANY:      | PTO       | Group :  | 2854   |        |          |       |          |          |      |
|   | OUR CLIENT/MATTER  | :.ON S    | WILL     | 2501   |        |          |       |          | •        |      |
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G. BYRON JAMISON, SPECIAL COUNSEL

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July 6, 2000

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JUL 0 6 2000 TECHNOLOGY CENTER 2800

John Hilten, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington, D.C. 20231

Re: Davis et al., Serial No. 09/315,796 Our File: WILL 2501

Dear John:

I tried several times to reach you after the holiday, yesterday, and was unsuccessful. Linda Hodge-Taylor granted the one-day extension, and unless I hear from you immediately, I will assume you or in accord. My secretary has an intestinal problem and had almost had to go to the hospital. Enclosed are my correspondence with her.

I need from you the dates you and Mr. Funk are available for the continuation of the interview. We gave you Mr. Prince's available dates, in our last correspondence, attached.

Very truly yours,

Robert: Hardy Falk

Enclosures.

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FALK, VESTAL & FISH 214-969-5941

UNITED STATES DEPARTMENT OF COMME Patent and Trademark Office Assistant Secretary And Commissioner OF PATENTS AND TRADEMARKS Weshington, D.C. 20231

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ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

G. Byron Jamison, special counsel

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|                                      | FROM:         | Robert Ha      | rdy Fal             | k          |         |                        | DATED: | 7-5-20                                | 00          |              |
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| -                                    | SENDERS PHON  | E NO.: (214) 9 | 5.1-4.100           |            |         | : .                    |        |                                       |             |              |
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|                                      | PLEASE DELIVE | R THE FOLLO    | owing Pa            | ges to:    | ,       | •                      |        |                                       |             |              |
|                                      | NAME:         | Linda          | a Hodge-            | Taylor     | ·<br>·  |                        |        | · · · · · · · · · · · · · · · · · · · |             |              |
| H                                    | FIRM/COMPANY  | , Super        | Supervisor, Tech Su |            |         | apport, Group 2800 PTO |        |                                       |             |              |
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|                                      | office telepi | IONE NO.: _    | (703)               | 308 376    | 5       | <del></del>            |        | ı                                     |             | i            |
|                                      | FAX TEL       | ephone no.:    | (703)               | 305 13     | 41      |                        |        |                                       |             | , <b>,</b> , |
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| C.                                   |               |                | SPEC                | ial instru | CHONS   |                        | ·      |                                       |             |              |
|                                      | Please        | fax exter      | nsion fo            | or 1 day   | to 7-   | 7 to (                 | 972)   | 716 7532                              |             |              |
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#### FALK & FISH

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G. BYRON JAMISON, SPECIAL COUNSEL

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July 5, 2000

Ms. Linda Hodge-Taylor Supervisor, Technical Support, Group 2800 United States Patent and Trademark Office Crystal Plaza IV Room D-21 Crystal City, VA 22202

> Re: Serial No. 09/315,796 to Davis et al. Our File: WILL 2501

Dear Ms. Hodge-Taylor:

Enclosed is a copy of the letter I spoke of that was faxed to Mr. Hilten on Monday. I was under the impression that he was going to fax to me an extension late Monday or early today. Today I could not reach him.

The office action of June 6 was clearly mailed June 7. According to the rules and the MPEP, I am entitled to at least another day. Take care and correct my address for correspondence (the office action of June 6, nee June 7, was misaddressed):

> Robert Hardy Falk FALK & FISH 1.1.p. Post Office Box 794748 Dallas, Texas |75379 tel: (214) 954 4400 fax 1: (214) 969 5941 fax 2: (972) 716 9532

Please call me at (214) 695 3402 and fax the extension to the '9532 number today.

> <u>Very</u> truly

rt Hardy

Enclosures.

T.

أجح

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS INTELLECTUAL PROPERTY LAW Attorneys at Low
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|              | FROM:        | Robert Hardy Falk           |           | DATED:   | 7-3~'2000<br>—————————————————————————————————— |
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|              |              | NE NO.: (214) 954-4400      |           |          |   |
|              | NUMBER OF P  | AGES (INCLUDING COVER):5    |           | TIME IN: | 9:15 a.m.                                       |
|              | PLEASE DELIV | er the following pages to:  | , ,       |          |   |
| EN EN        | NAME:        | John Hilten, SPE            |           |          |   |
| The state of | FIRM/COMI'AN | PTO Group 2854              |           |          |   |
| 7.           | OUR CLIENT/N | NATTER NO.:                 |           |          | •         |
|              | OFFICE TELEI | PILONE NO.: (703) 308 0719  |           |          | •   |
|              | FAX TE       | LEPHONE NO.: (703) 308 5841 |           |          |   |
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ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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July 3, 2000

offices in dallas, texas and san jose, california

MAILING ADDRESS P.O. BOX 794748 DALLAS, TEXAS 75379

John Hilton, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington D.C. 20231

Re: Davis et: al. Serial No. 09/315,796 Our File: WILL 2501

Dear John:

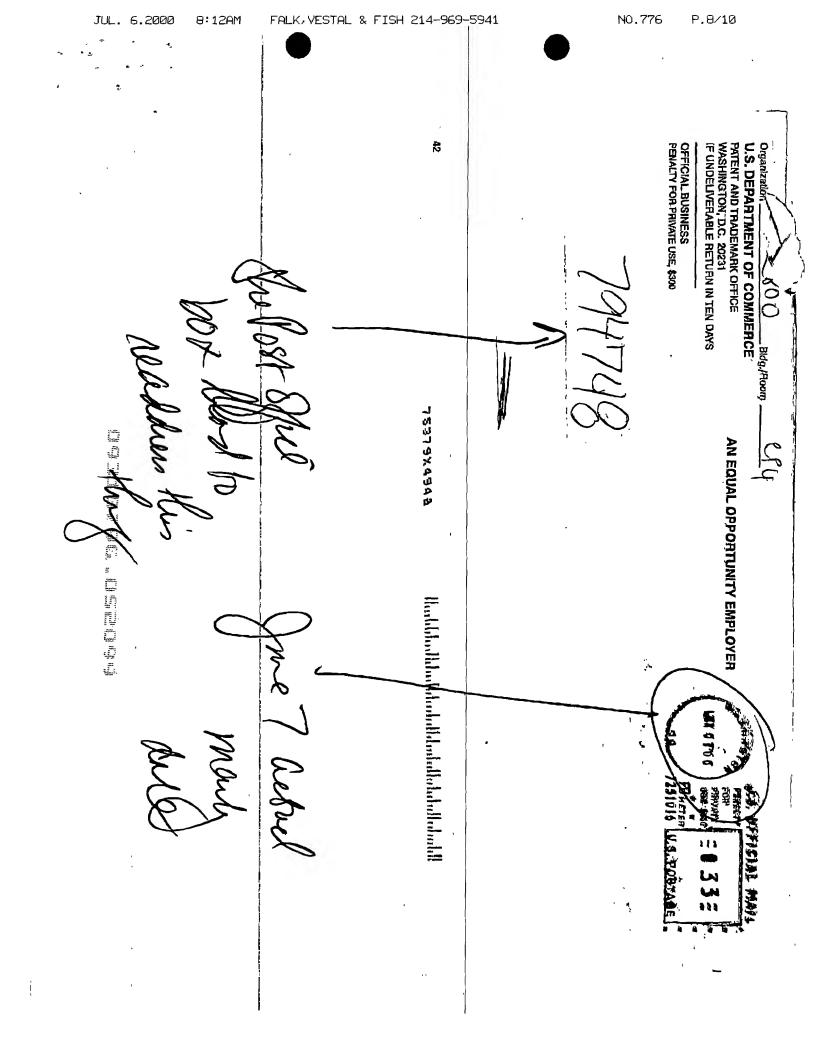
Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk's schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to annumber of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Robert Hardy Falk

Enclosures.
p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.



APPLICATION NO.

09/315,796

ROBERT HARDY FALK

FALK & FISH LLP p. o. box 794940 DALLAS TX 75097

FILING DATE

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CAVIS

#### PARTMENT OF COMMERCE UNITED STATES Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 1,3 WILL ~ 2501 EXAMINER FUNK. 0 ART UNIT PAPER NUMBER 2854 DATE MAJLED:

Please find below and/or attached an Office communication concerning this application or proceeding.

MMC2/0606

Commissioner of Patents and Trademarks

**96/06/0**0

Serial No. 09/315;796 Art Unit 2854 -2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

While there is concurrent litigation related to this reissue application, action in this reissue application will NOT be stayed because of applicant's request that the application be recommended at this time. Due to the related litigation status of this reissue application, extensions of time under the provisions of 37 C.F.R. § 1.136(a) will not be permitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If artempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956

Stephen Funk June 1, 2000

Ü

STEPHEN R. FUNK PRIMARY EXAMINER

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ROBERT HARDY FALK P.C. RONALD C. FISH, P.C.

G. Ryron Iamison, special counsel

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attorneys at law A TEXAS LIMITED LIABILITY PARTNERSHIP CHATEAU PLAZA 2515 McKINNEY AYB, SUITE 1565 DALLAS, TEXAS 75201 TELEPHONE (214) 954-4400 FACSIMILE (214) 969-5941 Internet: http://www.patent.net EMail: falk@patent.net

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g, byron jamison, special counsel

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**TECHNOLOGY CENTER 2800** 

John Hilten, Esq., Supervisory Primary Examiner, Art Unit 2854 United States Patent and Trademark Office Washington, D.C. 20231

> Re: Davis et al., Serial No. 09/315,796 Our File: WILL 2501

Dear John:

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Very truly yours,

RobertnHardy Falk

Enclosures.

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g. Byron Jamison, special counsel

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> > 7-3-2000

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ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

G. Byron Jamison, Stecial Counsel

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July 3, 2000

offices in dallas, texas and san jose, california

> MAILING ADDRESS P.O. BOX 794748 DALLAS, TEXAS 75379

John Hilton, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796 Our File: WILL 2501

Dear John:

Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

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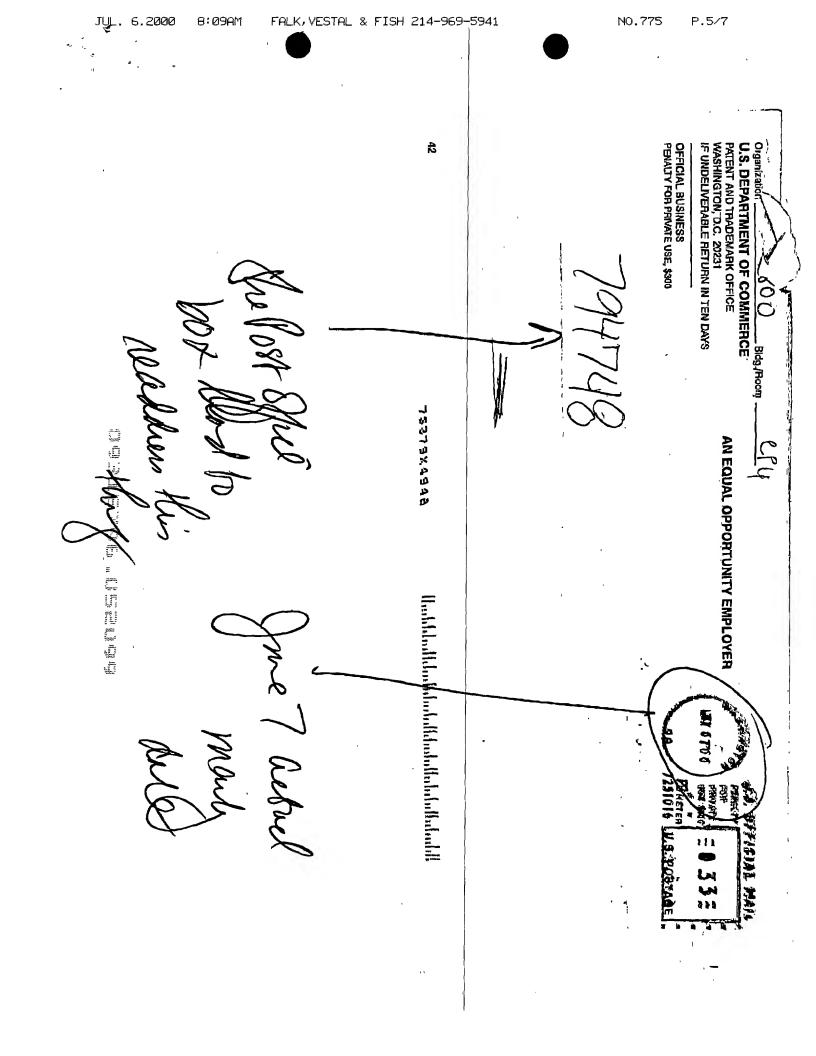
Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

L HULLY PS

very truly you

Robert Hardy Falk

Enclosures.
p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.





#### UNITED STATES PARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR 09/315,796 りほくなりくりゅ DAVIS Ľ WILL-250; **EXAMINER** MMC2/0606 ROBERT HARDY FALK FINE C PAPER NUMBER MALK & FISH ART UNIT p. o. box 794940 DALLAS TX 75097 285g DATE MAJLED: **0/6**/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Serial No. 09/315,796 Art Unit 2854 -2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

While there is concurrent litigation related to this reissue application, action in this reissue application will NOT be stayed because of applicant's request that the application be examined at this time. Due to the related litigation status of this reissue application, extensions of time under the provisions of 37 C.F.R. § 1.136(a) will not be permitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956

Stephen Funk June 1, 2000

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STEPHEN R. FUNK PRIMARY EXAMINER

NO.780 P.1/13

FAX COPY RECEIVED

JUL 0 6 2000

CST

TECHNOLOGY CENTER 2800 OFFICES IN DALLAS, TEXAS AND SAN JOSE, CALLEGE SAN AND SAN JOSE, CALIFORNIA

> MAILING ADDRESS P.O. BOX 794748 DALLAS, TEXAS 75379

### FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

g. Byton Jamison, special Counsel

ATTORNEYS AND COUNSELORS INTELLECTUAL PROPERTY LAW

ATTORNEYS AT LAW A TEXAS LIMITED LIABILITY PARTNERSHIP CHATEAU PLAZA 2515 McKINNEY AVE, SUITE 1565 DALLAS, TEXAS 75201 TELEPHONE (214) 954-4400 FACSIMILE (214) 969-5941 Internet: http://www.patent.net EMail: falk@patentinet

# FACSIMILE COVER LETTER

|   | •                | •             |         |               | 1.     |         |       | DATED: 7 | _6_2'n'n n | 1       |
|---|------------------|---------------|---------|---------------|--------|---------|-------|----------|------------|---------|
|   | FROM: Ro         | bert Har      | dy Fal  | <u>k</u>      |        |         |       | DATED:   | -6-2000    | <u></u> |
|   | Senders; Phone i | 10.: (214) 95 | 4-4400  |               |        | •       | · · . |          |            | •       |
|   | NUMBER OF PAGE   | S (INCLUDII   | AG COAI | en): <u>1</u> | 3      |         |       | time in: | 9:20       | a.m.    |
|   | PLEASE DELIVER   | THE FOLLO     | wing P  | AGES .        | lo;    | ,       |       | TOP OF D | ESK        | •       |
| :=:<br>:::::::::::::::::::::::::::::::::: | NAME: .          | John          | Hilter  | ı, S.         | P.E.   |         |       |          |            |         |
|   | FIRM/COMPANY:    | PTO G         | roup 2  | 2854          | :      |         |       |          |            |         |
| ii.                                       | OUR CLIENT/MAT   | TĖR NO.: _    | WILL 3  | 2501          |        | -       |       |          | 1          | ·<br>•; |
| j   | office Telepiio  | NE NO .: _    | (703)   |               | ,      |         |       |          |            | ·       |
|   | Ifax Telei       | HONE NO.:     | (703)   | 308           | 7722   | , (703  | ) 308 | 5841     | _          |         |
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# CONFIDENTIALITY NOTICE

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If you do not receive all pages, please call (214) 954-4403 ASAP.

Thank you.

g. Byron Jamison, special counsel

ATTORNEYS AND COUNSELORS

INTELLECTUAL PROPERTY LAW

#### FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C, FISH, P.C.

ATTORNEYS AT LAW A TEXAS LIMITED LIABILITY PARTNERSHIP

OFFICES IN DALLAS, TEXAS and san Jose, California

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TELEPHONE (214) 954-4400 FACSIMILE (214) 969-5941

Internet: http://www.parent.net EMail: falk@patent.net

July 6, 2000

MAILING ADDRESS P.O. BOX 794748 DALLAS, TEXAS 75379

FAX COPY RECEIVED

JUL 0 6 2000

TECHNOLOGY CENTER 2800

John Hilten, Esq., Supervisory Primary Examiner, Art Unit 2854

United States Patent and Trademark Office Washington, D.C. 20231

Re: Davis et al. | Serial No. 09/315,796

Our File: WILL 2501

Dear John:

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T.

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I tried several times to reach you after the holiday, yesterday, and was unsuccessful. Linda Hodge-Taylor granted the one-day extension, and unless I hear from you immediately, I will assume you or in accord. My secretary has an intestinal problem and had almost had to go to the hospital. Enclosed are my correspondence with her.

I need from you the dates you and Mr. Funk are available for the continuation of the interview. We gave you Mr. Prince's available dates, in our last correspondence, attached.

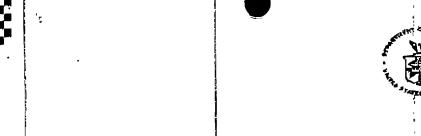
Very truly yours,

Robert Hardy Falk

Enclosures.

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UNITED STATES DEPARTMENT OF COMME PACENT AND TRACEMENT OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

# TECHNOLOGY CENTER 2800

# TELECOPY/FACSIMILE TRANSMISSION COVER SHEET

| DATE:     | 7/5/00   |                                   |
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| TO:       |  | Loop.                             |
| NA        | ME: William  | July                              |
| CO        | MPANY/FIRM:  |                                   |
| FA        | x NO: 972-716                                      | - 953d                            |
| FROM:     | ME: Prade In Ho                                    | læ-Jupar                          |
| CO        | MPANY/FIRM: Pater                                  | t & Teddemarks                    |
| E A       | X NO/PHONE NO: 10.                                 | 3-308-3765                        |
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| REMAR     | KS: Sm. 09/3                                       | 315,796                           |
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| If you ha | ve not received all pages of<br>gy Center 2800 at: | this transmission, please contact |
|           |  | 308-1782<br>305-134/              |

L.  Wednesday, July 05, 2000

7/5/00 2:45 PM

SERIAL NO.: 09/315,796 - Reissue INVENTOR(S): Davis, Bill L. et al.

FILING DATE: 5/20/99

ATTORNEY'S DOCKET # WILL-2501

# TITLE OF INVENTION: COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING APPARATUS AND PROCESS

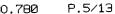
Per our conversation on July 5, 2000 2:45:36 PM EST - Your Faxed information has been received. reviewed and noted by the PTO.

Spoke with Robert Fulk. Faxing this note to 972-716-9532

Respectfully Submitted,

Linda Hooge-Taylor, Head Jmg Saylor.
Supervisory Legal Instrumental Examiner
Technology Center 2800

703-308-3765 Linda Hodge-Taylor Crystal Plaza 4 - 11 D21 2201 South Clark Place Arlington, Va. 22202





UNITED STATES DEPARTMENT OF COMME Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

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# TELECOPY/FACSIMILE TRANSMISSION COVER SHEET

| NAME: Stelland Sold COMPANY/FIRM: FAX NO: 972-716-9532  FROM: NAME: Male In Hold June Suffer COMPANY/FIRM: Patent & Teddemarks FAX NO/PHONE NO: 103-308-3765  NUMBER OF PAGES 2 INCLUDING COVER SHEET.  REMARKS: Sn 09/3/5, 796  If you have not received all pages of this transmission, please contact   | o ATTE:              | 0/5/00                                  |                         |
|--|----------------------|---|-------------------------|
| FROM:  NAME: Muda In Hodge - Juster  COMPANY/FIRM: Patent & Teddemarks  FAX NO/PHONE NO: 103-308-3165  NUMBER OF PAGES 2 INCLUDING COVER SHEET.  REMARKS: So 09/3/5, 79 (  | JAIE:_               | 1100                                    |                         |
| FROM:  NAME: Number of July of | NA.                  |   | Fack                    |
| FROM:  NAME: Number of July of | C                    | MPANY/FIRM:                             | ,                       |
| NAME: Mule In Hodge - Sustan COMPANY/FIRM: Patent & Tendemonke FAX NO/PHONE NO: 103-308-3765  NUMBER OF PAGES 2 INCLUDING COVER SHEET.  REMARKS: Sn 09/3/5, 196  If you have not received all pages of this transmission, please contact   | FA                   | XNO: 972-716                            | -9532                   |
| FAX NO/PHONE NO: 703-308-3765  NUMBER OF PAGES 2 INCLUDING COVER SHEET.  REMARKS: Sn 09/3/5, 796  If you have not received all pages of this transmission, please contact  | N                    | AME: Mude m He                          | dge-Juffer              |
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| If you have not received all pages of this transmission, please contact  |                      |   |                         |
| Technology Center 2800 at:  Receptionist: (703) 308-1782 Fax: (703) 305-134/   | If you li<br>Teclino | logy Center 2800 ac.  Receptionist: (70 | 03) 308-1782<br>03) 305 |
| Receptionist: (703) 308-1782 Fax: (703) 305  | Techno               | logy Center 2800 ac.  Receptionist: (70 | (3) 308-1782<br>(3) 305 |

Wednesday, July 05, 2000

SERIAL NO.: 09/315,796 - Reissue INVENTOR(S): Davis, Bill L. cr al.

FILING DATE: 5/20/99

ATTORNEY'S DOCKET # WILL-2501

#### TITLE OF INVENTION: COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING APPARATUS AND PROCESS

Per our conversation on July 5, 2000 12:30 EST - Your request for an additional day, due to the incorrect date on the mailing envelope is approved.

Spoke with Robert Falk. Faxing this note to 972-716-9532

Respectfully Submitted,

Ams taylor. Linda Hodge-Taylor, Head Supervisory Legal Instrumental Examiner Technology Center 2800

703-308-3765 Linda Hodge-Taylor Crystal Plaza 4 - 11- D21 2201 South Clark Place Arlington, Va. 22202

Thank you.

# FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C. attorneys at law a texas limited liability partnership

G. Byron Jamison, Special Counsel

CHATEAU PLAZA
2515 McKINNEY AVE, SUITE 1565
DALLAS, TEXAS 75201
TELEPHONE (214) 954-4400
FACSIMILE (214) 969-5941
Inkinot: http://www.patentaict

liMail: falk@patent.net

OFFICES IN DALLAS, TEXAS AND SAN JOSE, CALIFORNIA

> Mailing address P.O. Box 794748 Dallas, Texas 75379

Attorneys and counselors Intellectual property Law

# FACSIMILE COVER LETTER

| FROM:  | Robert Hardy Falk DATED: 7-5-2000   |  |  |  |
|--|---|--|--|--|
| Senders Pilone   | NO.: (214) 954-4400   |  |  |  |
| NUMBER OF PAG  | ES (INCLUDING COVER): 7 TIME IN: 1:15 p.m. C                                |  |  |  |
| PLEASE DELIVER   | THE FOLLOWING PAGES TO:   |  |  |  |
|  | Linda Hodge-Taylor  |  |  |  |
| NAME:  | Supervisor, Tech Support, Group 2800 PTO                                    |  |  |  |
| FIRM/COMPANY:  | 2501  |  |  |  |
| OUR CLIENT/MAT   |   |  |  |  |
| office telepiic  | (703) 305 1341  |  |  |  |
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| Please   | fax extension for 1 day to 7-7 to (972) 716 7532                            |  |  |  |
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| this facstulle la er   | ror, please immediately notify us by telephone to arrange for retain of the |  |  |  |
| action in reliance o   | n the contents of this facsimile information is strictly prohibited.        |  |  |  |

If you do not receive all pages, please call (214) 954-4403 ASAP.

### FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C. ATTORNEYS AT IAW
A TEXAS LIMITED LIABILITY PARTNERSHIP

OFFICES IN DALLAS, TEXAS AND SAN JOSE, CALIFORNIA

RONALD C. Parij 1,0.

a texas limited liability paicing is in Chateau Plaza

2515 McKINNEY AVE, SUITE 1565
DALLAS, TEXAS 75201
TELEPHONE (214) 984-4400

MAILING ADDRESS P.O, BOX 794748 DALLAS, TEXAS 75379

ATTORNEYS AND COUNSELORS INTELLECTUAL PROPERTY LAW

G. BYRON JAMISON, SPECIAL COUNSEL

FACSIMILE (214) 969-5941 Internet: http://www.parent.net EMall: falk@patent.net

July 5, 2000

Ms. Linda Hodge-Taylor
Supervisor,
Technical Support, Group 2800
United States Patent and Trademark Office
Crystal Plaza IV
Room D-21
Crystal City, VA 22202

Re: Serial No. 09/315,796 to Davis et al. Our File: WILL 2501

Dear Ms. Hodge-Taylor:

Enclosed is a copy of the letter I spoke of that was faxed to Mr. Hilten on Monday. I was under the impression that he was going to fax to me an extension late Monday or early today. Today I could not reach him.

The office action of June 6 was clearly mailed June 7.

According to the rules and the MPEP, I am entitled to at least another day. Take care and correct my address for correspondence (the office action of June 6, nee June 7, was misaddressed):

Robert Hardy Falk
FALK & FISH | 1.1.p.
Post Office Box 794748
Dallas, Texas 75379
tel: (214) 954 4400
fax 1: (214) 969 5941
fax 2: (972) 716 9532

Please call me at (214) 695 3402 and fax the extension to the '9532 number today.

Very truly yours

Robert Hardy Falk

Enclosures.

## FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

g. Ryron iamison, special ¢ounsel

ATTORNEYS AND COUNSELOIG INTELLECTUAL PROPERTY LAW

ATTOKNEYS AT LAW A TEXAS LIMITED LIABILITY PARTNERSHIP CHATEAU PLAZA 2515 McKINNEY AVE, SUITE 1565 DALLAS, TEXAS 75201 TELEPHONE (214) 954-4400

FACSIMILE (214) 969-5941 Internet: http://www.patent.net EMail: falk@patent.net

OFFICES IN DALLAS, TEXAS and san Jose, California

> MAILING ADDRESS P.O. BOX 794748 DALLAS, TEXAS 75379

### FACSIMILE COVER LETTER

|           | FROM: Rol       | pert Hardy Falk         |              | DATED:   | 7-3-2000    |
|-----------|-----------------|-------------------------|--------------|----------|-------------|
| •         | senders phone   | YQ.: (21-1) 954-4-100   |              |          |             |
|           | NUMBER OF PAGE  | s (INCLUDING COVER): 5  |              | time in: | 9:15 a.m.   |
|           | PLEASE DELIVER  | THE FOLLOWING PAGES TO: |              | • '      | • •         |
|           | NAME: .         | John Hilten, SPE        |              |          |             |
|           | FIRM/COMPANY:   | PTO Group 2854          |              |          |             |
|           | OUR CLIENT/MAT  | TÉR NO.:                | <del>-</del> |          | *: <u>.</u> |
|           | OFFICE TELEPIIO | NE NO.: (703) 308 071   | <u> </u>     |          | •           |
|           | FAX TELEI       | HONE NO.: (703) 308 584 | l            |          |             |
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Thank you.

#### FALK & FISH

ROBERT HARDY FALK, P.C. RONALD C. FISH, P.C.

ATTORNEYS AT LAW A TEXAS LIMITED LIABILITY PARTNERSHIP

OFFICES IN DALLAS, TEXAS AND SAN JOSE, CALIFORNIA

CHATEAU PLAZA

MAILING ADDRESS P.O. BOX 794748

DALLAS, YEXAS 75379

g, byron jamison, special counsel

ATTORNEYS AND COUNSELORS INTELLECTUAL PROPERTY LAW 2515 McKINNEY AVE, SUITE 1565 DALLAS, TEXAS 75201 TELEPHONE (214) 954-4400 FACSIMILE (214) 969-5941 Internet; http://www.patent.net EMail: falk@patent.het

July 3, 2000

John Hilton, Esq., Supervisory Primary Examiner, Art Unit 2854 United States | Patent and Trademark Office Washington D.C. 20231

> Re: Davis et. al. Serial No. 09/315,796 Our File: WILL 2501

Dear John:

Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

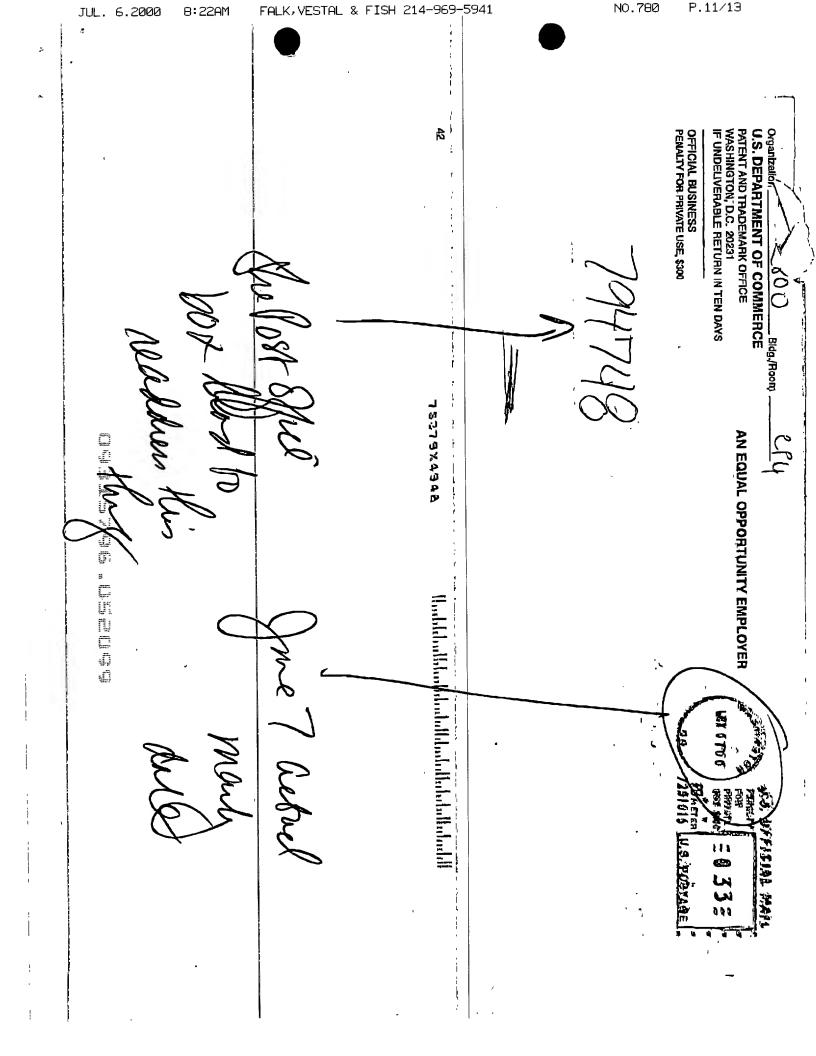
Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk's schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Very truly yours

Robert Hardy

Enclosures.
p.s.: My post office box is Box 794748, not 794948 as on the office Get your clerk to get it right. action.



JUL. 6.2000 B:22AM FALK, VESTAL & FISH 214-969-5941 NO.780 P.12/13



# UNITED STATE EPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

ATTORNEY DOCKET NO. FIRST NAMED INVENTOR FILING DATE APPLICATION NO. WILL-2501 1,5 00918 05/20/99 09/015,796 EXAMINER MMC2/0606 FIBMIT C RODERT MORDY FALK PAPER NUMBER ART UNIT FALK & FISH LLD p. o. box 794940 DALLAS TX 75097 V354 DATE MAYED: 6/06/00

Please find below and or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

PTO-BOC (Rev. 2/95)

Serial No. 09/315,796 Art Unit 2854 -2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1,121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956

Stephen Funk June 1, 2000

w.J

'STEPHEN H. FUNK PRIMARY EXAMINER